

### **Remarks/Arguments**

#### **General**

Applicant extends its gratitude to the Office for noting the allowability of the subject matter of claims 11 and 12, and for the teleconference to discuss the terms “linearity” and “non-linearity.”

#### **Claim Amendments**

Applicant has amended independent claim 4 to recite “non-linearity,” which subject matter was identified as being allowable. (See page 4 of Office Action).

Entry and consideration of the instant claim amendments after final is respectfully requested as the instant claim amendments place the application in condition for allowance and/or in better format for Appeal and/or further limit issues which may be raised on appeal.

Applicant respectfully submits that the instant amendments were not previously submitted as the issues addressed by the amendments were only raised for the first time in the Final action. Accordingly, Applicants could not have made the requisite claim amendments obviating the issues at an earlier stage in the proceedings. Additionally, the instant claim amendments merely obviate the issues newly raised by the Examiner and do not change the scope of the claims or add new matter which would necessitate further substantial examination and/or search by the Examiner.

In view thereof, favorable action is respectfully requested.

#### **Restriction/Election**

Claims 4 – 10 were subject to restriction/election. Applicant has amended claim 4 to recite “non-linearity,” thereby obviating the restriction/election requirement.

Withdrawal is respectfully requested.

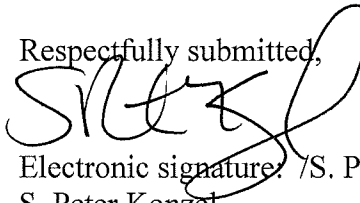
**Conclusion**

In view of the above, Applicant respectfully submits that the pending application is in condition for allowance, which action is courteously requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

Dated: May 16, 2011  
**Customer No.: 21874**

Respectfully submitted,



Electronic signature: /S. Peter Konzel/  
S. Peter Konzel

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